



Atty. Dkt. No. 086554-0975

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Robert W. LAUER  
Title: NESTABLE CONTAINER  
Appl. No.: 10/632,144  
Filing Date: 08/01/2003  
Examiner: Unassigned  
Art Unit: Unassigned

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56. A copy of the foreign patent document has been provided.

The USPTO has waived the requirement under 37 CFR 1.98(a)(2)(i) to submit copies of U.S. patents and U.S. patent application publications when citing and submitting an Information Disclosure Statements in a patent application filed after June 30, 2003 and in an international application that has entered the national stage under 37 USC §371 after June 30, 2003. Accordingly, copies of these types of documents are not being supplied in connection with this application. Reference is being made to Pre-OG Notice from Office of Patent Legal Administration dated July 25, 2003, *Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003.*

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the

present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

**RELEVANCE OF DOCUMENTS**

Documents A16, A17, and A20 were cited as being relevant in the corresponding International Application, PCT/US03/22489. A copy of the International Search Report setting forth the portion of each reference considered relevant by the examiner is attached.

Applicant respectfully requests that the listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date December 19, 2003

By 

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Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/632,144
				Filing Date	08/01/2003
				First Named Inventor	Robert W. LAUER
				Group Art Unit	Unassigned
				Examiner Name	Unassigned
				Attorney Docket Number	086554-0975
Sheet	1	of	2		

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	A1	3,310,318		NAGEL	03-21-1967	
	A2	3,346,271		PARSONS	10-10-1967	
	A3	4,450,976		SNYDER et al.	05-29-1984	
	A4	4,749,101		DURKAN, JR.	06-07-1988	
	A5	4,819,827		DISESA	04-11-1989	
	A6	4,836,394		GLOMSKI	06-06-1989	
	A7	4,917,257		EDELHOFF	04-17-1990	
	A8	4,930,649		MOSER	06-05-1990	
	A9	5,071,024		DELMERICO	12-10-1991	
	A10	5,088,750	A	BEESE et al.	02-18-1992	
	A11	5,106,113	A	PIACENTINI	04-21-1992	
	A12	D347,095	S	APPS et al.	05-17-1994	
	A13	5,356,027	A	CRAFT et al.	10-18-1994	
	A14	D355,741	S	CRAFT et al.	02-21-1995	
	A15	5,465,844	A	LEE	11-14-1995	
	A16	5,599,037	A	SPICKLER	02-04-1997	
	A17	5,743,542	A	MAST et al.	04-28-1998	

Examiner Signature	Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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		Number	Kind Code <sup>2</sup> (if known)			
	A18	6,145,856	A	CONTI	11-14-2000	
	A19	6,328,320	B1	WALSKI et al.	12-11-2001	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	A20	WO	98/49073	A	PERSTORP AE et al.	11-05-1998		

Examiner Signature	Date Considered
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